

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

MATTHEW DALY, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

WEST MONROE PARTNERS, INC., et al.,

Defendants.

Case Number 1:21-cv-06805-RAG

NATHAN A. ULERY, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

WEST MONROE PARTNERS, INC., et al.,

Defendants.

Case Number 1:22-cv-00781-RAG

**WEST MONROE DEFENDANTS' MOTION FOR LEAVE TO FILE A RESPONSE TO
PLAINTIFF DALY'S OBJECTION TO FULL CONSOLIDATION OF THE ULERY
AND DALY ACTIONS**

Defendants West Monroe Partners, Inc., the Benefits Committee of West Monroe Partners, Inc., and the Board of Directors of West Monroe Partners, Inc. (collectively, the "West Monroe Defendants"), by and through their undersigned counsel, respectfully submit this motion for leave to file a response to Plaintiff Daly's Response to Nathan Ulery's Motion to Consolidate ("Response"), *Ulery v. West Monroe Partners, Inc., et al.*, No. 1:22-cv-00781 ("Ulery Action"), Dkt. 20.¹ The West Monroe Defendants' proposed response is attached as Exhibit A hereto.

¹ The West Monroe Defendants planned to seek leave to respond to the formal elaboration of Plaintiff Daly's position that the Court directed Plaintiff Daly to file no later than March 30, 2022. *See* Ulery Action, Dkt. 21. However, Plaintiff Daly did not file any statement by the deadline established by the Court.

1. On March 16, 2022, Plaintiff Ulery moved to consolidate the Ulery Action with *Daly v. West Monroe Partners, Inc. et al.*, No. 1:21-cv-06805 (“Daly Action”) for all purposes, including discovery and trial. Ulery Action, Dkt. 19 (“Motion”) at 1.

2. On March 21, 2022, Plaintiff Daly filed a response to Plaintiff Ulery’s Motion. Ulery Action, Dkt. 20. In his Response, Plaintiff Daly consented to consolidation for pretrial purposes only and did not consent to consolidating the Ulery and Daly Actions for purposes of discovery. *Id.* at 1, 3.

3. On March 22, 2022, the Court directed Plaintiff Daly to file a statement “setting forth the bases for his objection to full consolidation of the Ulery and Daly actions” by March 30, 2022. Ulery Action, Dkt. 21. Plaintiff Daly did not file any statement in further elaboration of his objection by the deadline set by the Court. *See id.*

4. The West Monroe Defendants seek leave of the Court to respond to the arguments raised in Plaintiff Daly’s Response, which implicate important issues of efficiency, judicial economy, and wasteful duplication of efforts that would result from requiring the West Monroe Defendants to simultaneously defend against two substantially identical lawsuits, and from requiring the Court to spend time and resources deciding the same issues in duplicative lawsuits.

5. This motion is made in good faith and not for any improper purpose, and there will be no prejudice to any party if the requested relief is granted. Rather, as noted above the West Monroe Defendants may be unfairly prejudiced if they are not permitted to respond to Plaintiff Daly’s Response.

WHEREFORE, the West Monroe Defendants respectfully request that this Court permit the West Monroe Defendants to file their response to Plaintiff Daly’s Response, attached as Exhibit A hereto.

Dated: March 31, 2022

Respectfully submitted,

/s/ Lars C. Golumbic

Lars C. Golumbic (admitted *pro hac vice*)

Samuel I. Levin (admitted *pro hac vice*)

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